

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:	Rourke, Yang
Application No.:	10/719228
Filed:	November 21, 2003
For:	Micro-Porous Mesh Stent with Hybrid Structure
Issue No.:	7041129
Issue Date:	May 9, 2006
Examiner:	Cary E O'Connor
Group Art Unit:	3731

Commissioner for Patents  
P O Box 1450  
Alexandria, VA 22313-1450

Docket No: S63.2N-13529-US03

## ASSIGNEE'S STATEMENT OF OWNERSHIP 37 CFR 3.73(B)

Boston Scientific Cupertino Corp., (name of assignee), a corporation, is the assignee of the entire right, title and interest in the patent application identified above by virtue of a chain of title from the inventor(s), of the patent application identified above, to the current assignee as shown below:

- 1      From : Jonathan M. Rourke  
To: Endotex Interventional Systems, Inc.  
The document was recorded in the Patent and Trademark Office at Reel 010541, Frames 0152-0155, or for which a copy thereof is attached.
- 2      From: Endotex Interventional Systems, Inc.  
To: Boston Scientific Cupertino Corp.  
by Certificate of Amendment of Certificate of Incorporation,  
changing its name, dated June 25, 2007.

Copies of assignments or other documents in the chain of title are attached

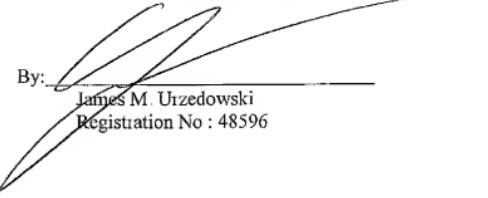
The undersigned is empowered to sign this statement of ownership certificate on behalf of the assignee.

Respectfully submitted,

VIDAS, ARRETT & STEINKRAUS

Date: 9/25/07

By:

  
James M. Urzedowski  
Registration No : 48596

6640 Shady Oak Dr , Suite 400  
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UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
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APRIL 19, 2000

PTAS

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LOS ANGELES, CA 90071-2066



\*101267388A\*  
245/114

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

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PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 02/01/2000

REEL/FRAME: 010541/0152  
NUMBER OF PAGES: 4

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

ROURKE, JONATHAN M.

DOC DATE: 01/20/2000

ASSIGNOR:

YANG, YI

DOC DATE: 01/20/2000

ASSIGNEE:

ENDOTEX INTERVENTIONAL SYSTEMS,  
INC  
10231 BUBB ROAD  
CUPERTINO, CALIFORNIA 95014

SERIAL NUMBER: 09495827  
PATENT NUMBER:

FILING DATE: 02/01/2000  
ISSUE DATE:

RECEIVED  
APR 27 2000  
US PROSECUTION

010541/0152 PAGE 2

TONYA LEE, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

02-14-2000

Docket No. 245/114

101267388

To the Honorable Commissioner of Patents and Trademarks, <input type="checkbox"/> Original documents or copy thereof <input checked="" type="checkbox"/> TO	
<p>1 Name of conveying party(ies):  <b>JONATHAN M ROURKE and YI YANG</b>            Additional name(s) of conveying party(ies) attached?  <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	
<p>2 Name and address of receiving party:  <b>Name: ENDOTEX INTERVENTIONAL SYSTEMS, INC.</b>            Internal Address: _____</p>	
<p>3 Nature of conveyance:  <input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger  <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name  <input type="checkbox"/> Other _____</p>	
<p>4 Application number(s) or patent number(s):            If this document is being filed together with a new application, the execution date of the application is: <u>02/01/00</u></p>	
A Patent Application No(s):	B Patent No(s):
Additional numbers attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<p>5 Name and address of party to whom correspondence concerning document should be mailed:  <b>Name: William A. English</b>            Internal Address: LYON &amp; LYON LLP            633 West Fifth Street, Suite 4700            Los Angeles, CA 90071-2066</p>	
<p>6 Total number of applications and patents involved: <u>1</u></p>	
<p>7 Total fee (37 CFR 3.41): <u>\$ 40.00</u>  <input checked="" type="checkbox"/> Enclosed  <input type="checkbox"/> Charge this Deposit Account if any additional fee is required</p>	
<p>8 Deposit Account Number: <u>12-2475</u></p>	

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## 9 Statement and signature:

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document

02/01/2000 TRADE 10006014 03495827

Date: 02/01/0010 William A. English, Reg No 40,0150PTotal number of pages including cover sheet: 4

OMB No. 0651-0011 (exp. 4/94)

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ASSIGNMENT OF PATENT APPLICATION

WHEREAS, WE, **JONATHAN M. ROURKE**, a citizen of UNITED STATES residing at 2185 Chuleta Los Altos, California 94025, and **YI YANG**, a citizen of UNITED STATES residing at 2394 45<sup>th</sup> Avenue, San Francisco, California 94116 (hereinafter referred to as "ASSIGNORS"), have invented and own a certain invention entitled Micro-Porous Mesh Stent with Hybrid Structure for which application for Letters Patent of the United States of America has been executed on even date herewith; and

WHEREAS, **ENDOTEX INTERVENTIONAL SYSTEMS, INC.**, a corporation organized and existing under and by virtue of the laws of the State of California and having its principal place of business at 10231 Bubb Road, Cupertino, California 95014 (hereinafter referred to as "ASSIGNEE"), is desirous of acquiring the exclusive right, title and interest in, to and under said invention and in, to and under any Patent or similar legal protection to be obtained therefor in the United States of America, its territorial possessions and in any and all countries foreign thereto.

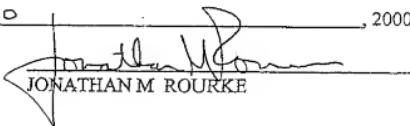
NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNEES hereby sell, assign, transfer and set over unto the said ASSIGNEE, its successors and assigns, the full and exclusive right, title and interest to said invention and to all Letters Patent or application or similar legal protection, not only in the United States and its territorial possessions, but in all countries foreign thereto to be obtained for said invention by said application, and to any continuation, division, renewal, substitute or reissue thereof or any legal equivalent thereof in the United States or a foreign country for the full term or terms for which the same may be granted, including all priority rights under the International Convention; and ASSIGNEES hereby authorize and request the Commissioner of Patents and Trademarks to issue

said Letters Patent or any legal equivalent thereof to said ASSIGNEE, its successors and assigns, in accordance with this Assignment

ASSIGNORS hereby covenant that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this Agreement;

ASSIGNORS further covenant that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said application, said invention and said Letters Patent and legal equivalents as may be known and accessible to ASSIGNORS and will testify as to the same in any interference or litigation related thereto and will promptly execute and deliver to ASSIGNEE or its legal representative any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue and enforce said application, said invention and said Letters Patent and said equivalents in the United States or in any foreign country, which may be necessary or desirable to carry out the purposes thereof.

WITNESS my hand at Cupertino,  
California, this 20 day of JAN '00, 2000.

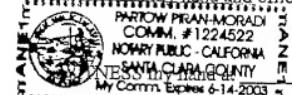
  
JONATHAN M. ROURKE

STATE OF CALIFORNIA )  
COUNTY OF Santa Clara ) ss

On 1/20/00 before me, Parlow Piran-Moradi Notary Public, personally appeared  
Jonathan M. Rourke

personally known to me - OR -  proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.



California, this 17 day of JANUARY, 2000.

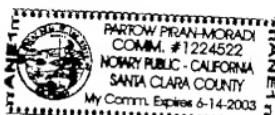
YI YANG!

STATE OF CALIFORNIA )  
COUNTY OF Santa Clara ) ss

On 1/17/00 before me, Parlow Piran-Moradi Notary Public, personally appeared  
Yi Yang

personally known to me - OR -  proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal



Parlow Piran-Moradi  
Notary Public in and for said County and State

# Delaware

PAGE 1

*The First State*

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF AMENDMENT OF "ENDOTEX INTERVENTIONAL SYSTEMS, INC.", CHANGING ITS NAME FROM "ENDOTEX INTERVENTIONAL SYSTEMS, INC." TO "BOSTON SCIENTIFIC CUPERTINO CORP.", FILED IN THIS OFFICE ON THE TWENTY-FIFTH DAY OF JUNE, A.D. 2007, AT 2:45 O'CLOCK P.M.

A FILED COPY OF THIS CERTIFICATE HAS BEEN FORWARDED TO THE NEW CASTLE COUNTY RECORDER OF DEEDS.

2737939 8100  
070746859



*Harriet Smith Windsor*

Harriet Smith Windsor Secretary of State

AUTHENTICATION: 5791337

DATE: 06-26-07

CERTIFICATE OF AMENDMENT  
OF  
CERTIFICATE OF INCORPORATION

EndoTex Interventional Systems, Inc., a corporation organized and existing under and by virtue of the General Corporation Law of the State of Delaware (the "Corporation"), does hereby certify:

FIRST: That the Board of Directors of the Corporation duly adopted in a written consent signed by all of the directors a resolution containing a proposed amendment of the Corporation's Certificate of Incorporation, declaring such amendment advisable and proposing that the sole stockholder adopt such amendment in a written consent signed by the sole stockholder. The resolution setting forth the proposed amendment is as follows:

That the First Section of the Certificate of Incorporation of the Corporation shall be amended in its entirety to read as follows:

"FIRST: The name of the corporation is Boston Scientific Cupertino Corp "

SECOND: That thereafter, in lieu of a meeting of the sole stockholder, the sole stockholder signed a written consent adopting such amendment in accordance with the provisions of Sections 228 and 242 of the General Corporation Law of the State of Delaware

IN WITNESS WHEREOF, the Corporation has caused this certificate to be executed and acknowledged in accordance with the provisions of Section 103 of the General Corporation Law of the State of Delaware by an authorized officer on May 23, 2007.

ENDOTEX INTERVENTIONAL SYSTEMS, INC.

By:

Lawrence J. Knopf  
Assistant Secretary

# *Delaware*

PAGE 1

*The First State*

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE DO HEREBY CERTIFY THAT THE SAID "ENDOTEX INTERVENTIONAL SYSTEMS, INC." FILED A CERTIFICATE OF AMENDMENT, CHANGING ITS NAME TO "BOSTON SCIENTIFIC CUPERTINO CORP.", ON THE TWENTY-FIFTH DAY OF JUNE, A.D 2007, AT 2:45 O'CLOCK P.M.

AND I DO HEREBY FURTHER CERTIFY THAT THE SAID "BOSTON SCIENTIFIC CUPERTINO CORP.", IS THE LAST KNOWN TITLE OF RECORD OF THE AFORESAID CORPORATION.

2737939 8321

070746859



*Harriet Smith Windsor*

Harriet Smith Windsor, Secretary of State

AUTHENTICATION: 5791339

DATE: 06-26-07